



**Georgia Department of Transportation
Division of Intermodal
600 W. Peachtree Street, N.W.
Atlanta, Georgia 30308**

**5311 (f) Intercity Bus Application
FY2016**

Application Deadline: December 31, 2015

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INTRODUCTION

The Intercity Bus Program, known as Section 5311(f), is part of the Nonurbanized Area Formula Program, Section 5311. The program was started in 1991 as Section 18(I) under the Intermodal Surface Transportation Efficiency Act (ISTEA) and it designated federal funds specifically for intercity transportation in rural areas. These funds are awarded on a competitive basis for transit projects that develop and support intercity bus transportation in rural areas of the state. States are required to expend at least 15 percent of their annual Section 5311 apportionment to support intercity bus service unless the Governor certifies that the state's intercity bus service needs are adequately met. Georgia continues to commit the minimum 15% toward development of intercity bus transportation in our state.

The Georgia Department of Transportation's Office of Intermodal Programs is the designated state agency to implement the Section 5311(f) program as part of its responsibilities to manage the Section 5311 program.

The national objectives of the Intercity Bus Program include the following:

- Enhance the access of people in nonurbanized areas to health care, shopping, education, employment, public services and recreation.
- Assist in the maintenance, development, improvement, and use of public transportation systems in nonurbanized areas.
- Encourage and facilitate the most efficient use of all transportation funds used to provide passenger transportation in nonurbanized areas through the coordination of programs and services.
- Assist in the development and support of intercity bus transportation.
- Provide for the participation of private transportation providers in nonurbanized transportation.

DEFINITION OF INTERCITY BUS SERVICE

The FTA defines intercity bus service as:

Regularly scheduled bus service for the general public that operates with limited stops over fixed routes connecting two or more urban areas not in close proximity, that has the capacity for transporting baggage carried by passengers, and that makes meaningful connections with scheduled intercity bus service to more distant points, if such service is available.

CHARACTERISTICS OF INTERCITY BUS SERVICE

- Operates between two or more cities, towns, or isolated clusters;
- Operates on a fixed schedule;
- Carries the general public and is not subject to preconditions for passenger transport;
- Regularly scheduled bus service;
- Available to the general public;
- Makes limited stops;
- Operates on fixed routes;
- Connects two or more urban areas not in close proximity;
- Makes meaningful rural connections (if available);
- Predominantly passenger service (any package/goods service incidental);
- Not a commuter service; and
- Not air, water, or rail service (bus only).

ELIGIBLE APPLICANTS FOR THE INTERCITY BUS PROGRAM

Eligible Applicants includes a state or local governmental authority, a nonprofit organization, or an operator of public transportation or intercity bus service that receives federal transit program grant funds indirectly through a recipient. All eligible applicants must demonstrate project eligibility for existing intercity bus services within Georgia and any proposed expansions.

AVAILABLE INTERCITY BUS SERVICE ALLOCATION

As required by FTA, GDOT has set aside 15% of its annual Section 5311, Nonurbanized Area Formula Program apportionment with the intent of expending the funds on intercity bus needs. Completion of the consultation process and study for Georgia indicated that intercity bus needs are not currently met. Further, it was recommended that GDOT commit to the full utilization of its Section 5311(f) allocation to support the intercity bus network. Therefore, this announcement provides funding totaling \$20,267,919 as follows:

Grant Breakdown	Intercity Bus Program Amount
GA-18-X031	\$6,768,937.00
GA-18-X033	\$5,132,018.00
GA-18-X032	\$8,366,964.00
TOTAL AVAILABLE	\$20,267,919.00

ELIGIBLE PROJECTS AND ACTIVITIES:

Funding priorities and eligible activities are limited to capital improvements. Eligible Capital Improvements include but may not be limited to:

- i. Purchase of new or replacement ADA accessible vehicles
- ii. Purchase of vehicle-related equipment (examples: ADA, bike racks)
- iii. Construction and/or purchase of facilities for use in public transportation
- iv. Purchase and installation of terminal passenger amenity enhancements, such as:
 - a. Benches
 - b. Bus shelters
 - c. Security camera(s)/system
 - d. ADA accessibility accommodations
 - e. Passenger ticketing window accommodation/installation
 - f. Terminal Signage
- v. Purchase and installation of transit security technology (facility and/or vehicle)

CONTACTS AND TECHNICAL ASSISTANCE

Contact the GDOT Office of Intermodal for proposal-specific information and issues or general program information. Contact information:

Michelle Nystrom, Transit Rural Group
mnystrom@dot.ga.gov
Phone: (404) 631-1235

OR

Lisa Rudder, Fleet Manager
lrudder@dot.ga.gov
Phone: (404) 631-1232

APPLICATION EVALUATION CRITERIA

Once an application has been determined to have met the threshold submission requirements the criteria below will be used to competitively score each application. Highest scoring applications will be selected for funding.

- i. Identified need for vehicle/equipment
- ii. Meaningful connection with existing intercity bus network
- iii. Ability of vehicle/equipment to improve intercity bus service in Georgia
- iv. Project meets overall intercity program objectives
- v. Financial solvency of the intercity bus operator, including adequate insurance coverage
- vi. Maintenance capability of provider
- vii. Safety record of provider

APPLICATION DUE DATE

Applications for the Intercity Bus Program are due on December 31, 2015 at 5:00 P.M. Eligible applicants must mail two copies of the completed original application to the address below:

Georgia Department of Transportation
Office of Intermodal - Intercity Bus Program
600 West Peachtree Street
Atlanta, GA 30308
Attn: Michele Nystrom

****Submissions after the stated deadline will not be accepted**

REVIEW AND SELECTION PROCESS

Members of the evaluation team reserve the right to screen and rate the proposals received and to seek clarification from any applicant about statements made in the application. GDOT reserves the right to request additional documentation contained within the application proposal. Incomplete or non-responsive applications will be disqualified.

NOTIFICATION OF AWARD

Upon recommendation of the evaluation team, GDOT will announce the final selections and amount of funding for each recommended project. Notification letters will be sent via email to all applicants. A listing of all applications receiving awards will be posted to our website. GDOT expects to announce the selected projects and notify successful applicants no later than March 31, 2016.

AWARD COMPLIANCE & OVERSIGHT REQUIREMENTS

Contract Requirements

Applicants selected for funding must include documentation necessary to meet the requirements of FTA's Nonurbanized Area Formula Program (Title 49, United States Code, Section 5311). Technical assistance regarding these requirements is available from GDOT Transit Staff.

If selected, applicants will contract for project funds with GDOT and adhere to all requirements of FTA and GDOT grants and contracts administration such as: procurement, civil rights, Americans with Disabilities Act, Buy-America, labor protections, etc. Technical assistance regarding post-award requirement is provided by GDOT Office of Public Transit staff and is addressed within the Georgia Department of Transportation State Management Plan.

Buy America

Under the GDOT Intercity Bus Program, FTA's Buy America regulations, 49 CFR part 661, apply to the procurement of vehicles and/or the incremental capital costs of making vehicles accessible.

Generally, Buy America applies to all vehicle procurement and accessibility equipment acquired with FTA funds, i.e., all of the manufacturing processes for the product take place in the United States. Specifically regarding ADA retrofits, the lift, the moveable seats, and the securement devices will each be considered components for purposes of this program; accordingly, and as stated under other FTA guidance, as components, each must be manufactured in the United States regardless of the origin of its respective subcomponents.

It should also be noted that FTA has issued a general public interest waiver for all purchases under the Federal "small purchase" threshold, which is currently \$100,000. (See 49 CFR 661.7, Appendix A (e)). The small purchase waiver applies only to the incremental cost of the accessibility features where retrofits are awarded. Where more than one bus is being made accessible, the grantee must calculate the incremental cost increase of the entire procurement when determining if the small purchase waiver applies. For example, if \$30,000 is the incremental cost for the accessibility features eligible under this program per bus (regardless of the Federal share contribution), then a procurement of three buses with a total such cost of \$90,000, would qualify for the small purchase waiver. No special application to GDOT would be required. States may not split procurements that exceed this threshold in order to avoid Buy America requirements. For construction projects and projects involving the installation of manufactured products, the small purchase limitation is based on the total value of the project and not the value of the steel, iron and manufactured products purchased for the project.

The grantee must obtain a certification from the bus or component manufacturer that all items included in the incremental cost for which the applicant is applying for funds meet Buy America requirements. The Buy America regulations can be found at <http://www.fta.dot.gov/buyamerica>.

Labor Protection

Compliance with fair labor protection is required. All applicants must agree in writing to accept the standard terms and conditions of the Section 5333(b) labor warranty for the Section 5311(f) Program which are outlined in **Exhibit 3A** and **3B**.

Planning

GDOT will notify affected District offices and ensure that successful projects are properly identified in the local Rural Transportation Improvement Program (RTIP) and Statewide Transportation Improvement Program (STIP) document.

Standard Assurances

The Applicant assures that it will comply with all applicable Federal and State statutes, regulations, executive orders, FTA circulars, and other Federal administrative requirements in carrying out any project supported by the FTA grant/GDOT contract. The Applicant acknowledges that it is under a continuing obligation to comply with the terms and conditions of the executed contract agreement issued for its project with GDOT. The Applicant understands that Federal and State laws, regulations, policies, and administrative practices might be modified from time to time and affect the implementation of the project. The Applicant agrees that the most recent Federal requirements will apply to the project, unless FTA or GDOT issues a written determination otherwise. Certifications and Assurances for contracts to be awarded under this program during Federal Fiscal Year (FFY) 2016 will require signature authority and compliance with FTA Certifications and Assurances for FFY 2016. GDOT will issue and provide technical assistance for FFY2016 Certifications and Assurances to successful applicants prior to GDOT contract execution. Consistent with previous assurance requirements, every applicant must submit Standard Certification 01, "For Each Applicant." Each applicant for more than \$100,000 must provide both Certification 01, and, 02, the "Lobbying Certification." Model language is provided in Appendix B, Assurance, to this document.

Reporting

Post-award reporting requirements include submission of quarterly Federal Financial Reports and Milestone Reports as required by GDOT. Documentation, specific technical assistance and approval from GDOT are required in ALL procurement and purchase activity. Documentation is required for any reimbursement for approved purchases. Procurement or purchases made prior to receipt of an executed contract will not be eligible for reimbursement.

THRESHOLD REQUIREMENTS FOR APPLICATION ELIGIBILITY

The following items are required to be completed and submitted at the time the application is filed. Failure to meet these threshold requirements will result in the application being denied as incomplete.

- 1. Letter of Transmittal** - The applicant must submit a transmittal letter on letterhead attesting to the availability of the 20% match and the accuracy of the information contained in the application. The letter must be signed by an authorized official of the organization. Under MAP-21 subrecipient may use the unsubsidized portion of privately provided intercity bus service that connects feeder service to be used as in-kind match for Intercity Bus projects.
- 2. Opinion of Counsel** – The applicant counsel should provide an opinion that the applicant has the legal capability to carry out the programs, to contract with the State, to submit application(s), to participate financially in the project and that there are **no** known legal impediments that may adversely affect the proposed project (**Exhibit 2**).
- 3. Labor Protection** – Compliance with fair labor protection is required. All applicants must agree in writing to accept the standard terms and conditions of the Section 5333(b) labor warranty for the Section 5311(f) Program. (**Exhibit 3A and 3B**)
- 4. Civil Rights Requirements** – The following is the necessary documentation for Civil Rights (**Exhibit 4**)
 - A. **FTA Civil Rights Assurance** – This sign-off requirement is filed with each grant application (**Exhibit 4**).
 - B. **Section 504/ADA Assurance** – Applicants must assure that they will comply with all applicable provisions of the Section 504 Rehabilitation Act of 1973, as amended and the Americans with Disabilities Act of 1990. These two Acts prohibit discrimination based on age or disability by any program or activity receiving Federal funds administered by the FTA or the U.S. Department of Transportation.
 - C. **U.S. Department of Transportation Title VI Assurance** Applicants must file with each application a signed U.S. DOT Title VI Assurance (**Exhibit 4**).
 - a. **Data Collection and Reporting Requirements for Title VI as Listed Below**

The Federal Transit Administration Circular 4702.1 requires that recipients maintain current files on information outlined below. Recipients should update information as conditions warrant. A status report is due in each year's application. A list of any active lawsuits or complaints naming the party which alleges discrimination on the basis of race, color, or national origin with respect to service or other transportation transit benefits. The list should include the date the lawsuit or complaint was filed; a summary of the allegation; and the status of the lawsuit or complaint, including whether the parties to a lawsuit have been entered into consent decree.

- A. A description of all pending applications for financial assistance, and all financial assistance currently provided by other Federal agencies relevant to the Section 5311(f) program.
 - B. A summary of all civil rights compliance review activities conducted in the last three years. The summary should include the purpose or reason for the review; the names of the agency or organization that performed the review; a summary of the findings and recommendations of the review; and a report on the status and/or disposition of such findings and recommendations.
 - C. Applicants must submit a Title VI Plan (new under MAP 21) to Georgia Department of Transportation, Division of Intermodal (please contact Nadara Wade, Title VI Compliance nwade@dot.ga.gov or for more information regarding Title VI compliance).
- 5. Certificate of Operation and Insurance** – The operator of Intercity Bus routes in interstate and/or intrastate service is required to obtain an operating certificate from the Surface Transportation Board (STB)/U.S. DOT and/or state regulatory agency. More information may be obtained by contacting the appropriate state regulatory agency (for example, the public service commission). Providers must have the requisite operating authority and insurance for services assisted under Section 5311(f), as determined by Federal or State regulatory authorities. Applicants must submit a copy of operating certificate from the Georgia Public Service Commission (PSC) with each application. (**CERTIFICATE**)

6. Drug-Free Workplace Certification – The U.S. Department of Transportation requires recipients to sign a drug free workplace certification. Applicants must certify their intent to maintain a drug free workplace by signing and submitting the certification with each application. U.S. DOT regulations require the recipients to develop a policy that prohibits the use of drugs in the workplace. Employees must be made aware of the policy and be given a copy. Violation of this policy is grounds for dismissal. (**Exhibit 5**)

7. Drug and Alcohol Program Certification –The annual MIS report for Intercity Bus providers is due each year by the end of February. The certification must be authorized by the Agency’s governing board or other authorized official and signed by someone specifically authorized to do so. Copies of annual reports and other information on the FTA Drug and Alcohol Testing Programs may be obtained from the Office of Intermodal Programs. A sample certification for the Anti-Drug Program Certification is included (**Exhibit 6**)

8. FTA Fiscal Year 2016 Certifications and Assurances – The applicant is authorized to make and sign the Certifications and Assurances. (**Exhibit 7**)

2016 5311(f) APPLICATION/PROPOSAL

A. APPLICATION FORMAT:

The responsive application must respond to the following in the stated order:

I. COMPANY IDENTIFICATION

- a. Company Name
- b. Dun and Bradstreet Number (DUNS)
- c. USDOT #
- d. Point of Contact
 - i. Address
 - ii. Phone
 - iii. Email
- e. Description and map/printed timetable of intercity service activities, routes and established stops
- f. Website showing routes and schedules of regularly scheduled intercity fixed-route service
- g. Number of buses in fleet used for intercity fixed-route service in Georgia
- h. Number of buses used in Georgia intercity fixed-route service that are ADA accessible
- i. Number of buses used in Georgia intercity fixed-route service that have bicycle racks

II. PROJECT IDENTIFICATION AND COMMUNITIES TARGETED, IF AWARDED

- a. Project Description/Overview
- b. Rural communities impacted
- c. Urbanized community connections
- d. Routes traveled
- e. Describe how award will benefit Georgia's travel experience/mobility
- f. Service improvement assumptions for project

(Exhibit 1)

III. PROJECT SCOPE AND FEASIBILITY GUIDANCE

(Please explain with supporting data why this activity/project is needed)

NOTE: All capital awards must follow federal/state procurement policies and processes

- a. For new or replacement vehicles:
 - i. Description and specifications of vehicle to be purchased
 - ii. For replacement of vehicle:
 - a. Description of vehicle to be replaced
 - b. VIN of vehicle to be replaced
 - c. Age and miles of vehicle that will be replaced with date of recording
 - d. General seating capacity
 - e. ADA seating capacity (number of ADA accessible seats/stations in vehicle)
 - iii. Number of originating passengers estimated within Georgia per month
 - iv. Number of terminating passengers estimated within Georgia per month
 - v. Percent of total vehicle miles within Georgia for route(s) that vehicle will be utilized
 - vi. Copy of Preventive Maintenance schedule plan for vehicles
 - vii. Copy of Safety Training Program for vehicle operations
 - viii. Proof of adequate insurance and level of insurance
- b. For vehicle-related ADA equipment/bike racks (as applicable):
 - i. How the awarded equipment will enhance services to Georgia routes
 - ii. Current number of ADA-accessible vehicles, boardings and seats
 - iii. Estimated number of trips/passengers denied due to inaccessibility of vehicles or ADA-accessible seats
 - iv. Estimated number of ADA-accessible boardings and seating that will be available if awarded
 - v. Estimated enhancement to service if bike racks are installed on vehicles
 - vi. Description, VIN, miles and age of vehicle(s) that will be enhanced with ADA or bicycle equipment
 - vii. Copy of ADA or vehicle equipment preventive maintenance schedule
- c. For transit terminal / ticketing passenger amenity upgrades or other enhancements:

Note: GDOT will participate in enhancements to existing terminal or passenger facilities only within Georgia AND that are owned/operated by the applicant

 - i. A description of items requested and how the items will enhance intercity passenger services
 - ii. A description of how items will be maintained
 - iii. Proof of building ownership
 - iv. Copy of current bus terminal license agreement with agent for specific contracted location (as applicable)
 - v. Proof of adequate property insurance
 - vi. Proof of preventive maintenance schedule for equipment requested

(Exhibit 1)

d. Vehicle/Facility Preventative Maintenance

Note: Preventive maintenance awards will be for assets funded through GDOT only and that GDOT currently holds title or federal/state interest

i. *Description of each capital asset to be maintained:*

- a. VIN
- b. Purchase Date
- c. *If facility-related, location and ownership information*
- d. *Brief description of preventive maintenance activities requesting support under this application*
- e. Provide copy of preventive maintenance plan(s) for capital asset and/or rolling stock

IV. SPECIFIC BENEFITS/SERVICE IMPROVEMENTS EXPECTED

- a. Describe how award will improve or enhance services in Georgia, new connections, safety improvements, improved information related to service, increased ridership, etc.

(Exhibit 1)

PROJECT BUDGET (* Please attach additional details to support budget request)

Capital Project – Intercity Program				
CODES	Line Item(s)	Number (#)	Estimated Amount	Item Description
11.12.08	Rolling Stock - Bus - Intercity (Replacement)		\$0	<i>Provide specifications on separate sheet</i>
11.13.08	Rolling Stock – Bus - Intercity (Expansion)		\$0	<i>Provide specifications on separate sheet</i>
11.34.07	Station Stops / Terminals (Surveillance / Security System)		\$0	<i>Provide specifications on separate sheet</i>
11.34.09	Station Stops/Terminals – Signage		\$0	<i>Provide specifications on separate sheet</i>
11.34.10	Station Stops / Terminals (Passenger Shelters/Benches)		\$0	<i>Provide specifications on separate sheet</i>
11.34.20	Station Stops/Terminals (Misc.) – Passenger Ticketing Window Installation		\$0	<i>Provide specifications on separate sheet</i>
11.34.20	Station Stops/Terminals (Misc.) – Passenger Ticketing Window Enhancements – ADA Access		\$0	<i>Provide specifications on separate sheet</i>
11.92.06	Transit Enhancements: Bicycle Equipment on Buses (Acquisition)		\$0	<i>Provide specifications on separate sheet</i>
11.92.09	Transit Enhancements: Enhanced ADA Access (Acquisition)		\$0	<i>Provide specifications on separate sheet</i>
11.94.09	Transit Enhancements: Enhanced ADA Access (Rehab / Renovation)		\$0	<i>Provide specifications on separate sheet</i>
	TOTAL ESTIMATED AMOUNT		\$0	

V. ESTIMATED PROJECT MILESTONES AND DATES

- Estimated Project Award Period of Performance:
- Project Contract Date:
- Project Procurement (RFP / IFB) Solicitation:
- Project Procurement Contract Award
- Capital Asset Received:
- Capital Asset Placed Into Service

Exhibit 2

SAMPLE LETTER OF TRANSMITTAL

Date _____

Ms. Carol Comer, Director
Office of Intermodal Programs
Georgia Department of Transportation
One Georgia Center
600 West Peachtree St. Atlanta, Georgia 30308

Dear Ms. Comer:

The (Applicant) is applying for a FTA Non-Urbanized Area Formula Program – Title 49 U.S.C. Section 5311(f) Intercity Bus - (capital) funds to assist in the transit operation of the (private carrier). The capital assistance requested in this project has been reviewed and approved by the local transportation planning process and is listed in the current Statewide Transportation Improvement Program.

We are requesting federal assistance (80 percent) in the amount of \$ XXXXXXXXX for capital assistance. The remaining 20 percent will be provided by (private carrier) in the amount of \$XXXXXXX .

We attest that all of the information contained in this Non-Urbanized Area Formula Program request is correct and the applicant has the legal, financial and technical capacity to carry out the proposed project.

If you have any questions on this request, please contact (principal contact) at (phone number).

Sincerely,

Signature of Designated Official

Title

EXHIBIT 3

SECTION 5311(F), OPINION OF COUNSEL

Date _____

Name of Applicant: _____

Address of Applicant: _____

Dear (Responsible Official for Applicant):

This communication will serve as the requisite Opinion of Counsel to be filed with the Federal Transit Administration, United States Department of Transportation, in connection with the application of (Name of Applicant) for Federal transportation assistance pursuant to the provisions of Section 5311(f), Title 49 U.S.C. Section 53, for capital assistance projects. I understand that the Georgia Department of Transportation has been duly designated a recipient in accordance with the provisions of Section 5311(f) and that the Federal Transit Administration has concurred in that designation. The legal authority for the (APPLICANT's) ability to carry out the project directly, by lease, contract or otherwise is set forth below:

1. The (APPLICANT) is authorized under (cite and quote from legal authority) to provide and assist public transportation by acquisition, construction and operation of existing or new transit facilities.
2. I have reviewed the pertinent Federal, state, and local laws, and I am of the opinion that there is no legal impediment to our making this application for the project for which (Name of Applicant) seeks Section 5311(f) assistance. Furthermore, as a result of my examination, I find that there is no pending or threatened litigation or other action which might in any way adversely affect the proposed project, or the capability of (Name of Applicant) to carry out the project.

Sincerely,

Legal Counsel

EXHIBIT 3A

FTA SECTION 5333 (b) ASSURANCE

By signing the following assurance, the recipient of Section 5311 and/or 5311(f) assistance assures it will comply with the labor protection provisions of 49 U.S.C. 5333(b) by one of the following actions: (signing the Special Warranty for the Non-Urbanized Area Program; (2) agreeing to the alternative comparable arrangements approved by the Department of Labor (DOL); or (3) obtaining a waiver from the DOL.)

_____ (hereinafter referred to as the “Recipient”) HEREBY ASSURE that the “Special Section 5333 (b) Warranty for Application to the Small Urban and Rural Program” has been reviewed and certifies to the Georgia Department of Transportation that it will comply with its provisions and all its provisions will be incorporated into any contract between the recipient and any sub-recipient which will expend funds received as a result of the an application to the Georgia Department of Transportation under the FTA Section 5311 Program.

Executed this _____ day of _____, 20_____.

Signature of Authorized Officer

Title of Authorized Officer

Listing of Recipients, Project Description, Eligible Surface Public Transportation

Providers and Labor Representation

Identify Recipients of Transportation Assistance under this Application	Site Project by Name, Description and Provider	Identify Other Eligible Surface Public Transportation	Identify Union Representation of Employees, If Any

EXHIBIT 4

FEDERAL TRANSIT ADMINISTRATION CIVIL RIGHTS ASSURANCE

The (Legal Name of Applicant) _____ HEREBY CERTIFIES THAT, as a condition to receiving Federal financial assistance under the Federal Transit Act it will ensure that:

1. No person on the basis of race, color, or national origin, will be subjected to discrimination in the level and quality of transportation services and transit related benefits.
2. The (Legal Name of Applicant) will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 4702.1B and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.7(a).
3. The (Legal Name of Applicant) will make it known to the public that those persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

The person whose signature appears below is authorized to sign this assurance on behalf of the recipient.

DATE: _____

Signature of Authorized Officer

Name and Title of Authorized Officer

EXHIBIT 5
DRUG-FREE WORKPLACE ACT CERTIFICATION FOR A PUBLIC OR PRIVATE ENTITY

1. The (Legal Name of Applicant) certifies that it will provide a drug-free workplace as specified in U.S. Department of Transportation's (DOT) rule, 49 CFR Part 40 and 655, which describes required procedures for conducting workplace drug and alcohol testing for FTA programs.

- A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- B. Establishing an ongoing drug-free awareness program to inform employees about: The dangers of drug abuse in the workplace;
- C. The Applicant's policy of maintaining a drug-free workplace;
- D. Any available drug counseling, rehabilitation, and employee assistance programs; and, the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- E. Making it a requirement that each employee to be engaged in the performance of the grant or cooperative agreement be given a copy of the statement required by paragraph (A);
- F. Notifying the employee in the statement required by paragraph (A) that, as a condition of employment under the grant or cooperative agreement, the employee will:
 - a. Abide by the terms of the statement; and
 - b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- G. Notifying the Federal agency in writing, within ten calendar days after receiving notice under subparagraph (D) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every project officer or other designee on whose project activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification numbers(s) of each affected grant or cooperative agreement;
- H. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (D) (2), with respect to any employee who is so convicted;
 - a. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency; and
- I. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (A), (B), (C), (D), (E), and (F).

2. The Applicant's headquarters is located at the following address.

Name of Applicant: _____
Address: _____
City: County: State: _____
Zip Code: _____

Signature of Authorized Official

Title of Authorized Official

Name of Applicant

Date

EXHIBIT 6
ANTI-DRUG PROGRAM CERTIFICATION
(Alcohol Misuse and Prohibited Drug Use)

I, _____ , _____
(Name of Official) (Title)

Certify that _____
(Name of Organization)

and its contractors, as required, for the Section 5311(f) Intercity Bus Program, has established and implemented an alcohol misuse prevention program in accordance with the terms of 49 CFR, Part 656. I further certify that the employee training conducted under this part meets the requirements of 49 CFR, Part 655.

Sincerely,

(Signature of Official)

(Date)

EXHIBIT 7A

FEDERAL FISCAL YEAR 2015 CERTS AND ASSURANCES FOR FTA ASSISTANCE PROGRAMS

Name of Applicant: _____

The Applicant agrees to comply with applicable provisions of Groups 01 – 24. ☐

OR

The Applicant agrees to comply with applicable provisions of the Groups it has selected:

<u>Group</u>	<u>Description</u>	
01.	Required Certifications and Assurances for Each Applicant.	<input type="checkbox"/>
02.	Lobbying.	<input type="checkbox"/>
03.	Procurement and Procurement Systems.	<input type="checkbox"/>
04.	Private Sector Protections.	<input type="checkbox"/>
05.	Rolling Stock Reviews and Bus Testing.	<input type="checkbox"/>
06.	Demand Responsive Service.	<input type="checkbox"/>
07.	Intelligent Transportation Systems.	<input type="checkbox"/>
08.	Interest and Financing Costs and Acquisition of Capital Assets by Lease.	<input type="checkbox"/>
09.	Transit Asset Management Plan and Public Transportation Agency Safety Plan.	<input type="checkbox"/>
10.	Alcohol and Controlled Substances Testing.	<input type="checkbox"/>
11.	Fixed Guideway Capital Investment Grants Program (New Starts, Small Starts, and Core Capacity) and Capital Investment Program in Effect before MAP-21 Became Effective.	<input type="checkbox"/>
12.	State of Good Repair Program.	<input type="checkbox"/>
13.	Fixed Guideway Modernization Grant Program.	<input type="checkbox"/>
14.	Bus and Bus Facilities Formula Grants Program and Bus and Bus-Related Equipment and Facilities Grant Program (Discretionary).	<input type="checkbox"/>
15.	Urbanized Area Formula Grants Programs/ Passenger Ferry Grants Program/Job Access and Reverse Commute (JARC) Formula Grant Program.	<input type="checkbox"/>
16.	Seniors/Elderly/Individuals with Disabilities Programs/New Freedom Program.	<input type="checkbox"/>
17.	Rural/Other Than Urbanized Areas/Appalachian Development/Over-the-Road Bus Accessibility Programs.	<input type="checkbox"/>
18.	Tribal Transit Programs (Public Transportation on Indian Reservations Programs).	<input type="checkbox"/>
19.	Low or No Emission/Clean Fuels Grant Programs.	<input type="checkbox"/>
20.	Paul S. Sarbanes Transit in Parks Program.	<input type="checkbox"/>
21.	State Safety Oversight Grant Program.	<input type="checkbox"/>
22.	Public Transportation Emergency Relief Program.	<input type="checkbox"/>
23.	Expedited Project Delivery Pilot Program.	<input type="checkbox"/>
24.	Infrastructure Finance Programs.	<input type="checkbox"/>

EXHIBIT 7B

FTA FISCAL YEAR 2016 CERTIFICATIONS AND ASSURANCES

FEDERAL FISCAL YEAR 2016 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE
(Required of all Applicants for FTA funding and all FTA Grantees with an active Capital or Formula Project)

AFFIRMATION OF APPLICANT

Name of Applicant: _____

Name and Relationship of Authorized Representative: _____

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these Certifications and Assurances and bind the Applicant's compliance. Thus, the Applicant agrees to comply with all Federal statutes and regulations, and follow applicable Federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its authorized representative makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2016, irrespective of whether the individual that acted on its Applicant's behalf continues to represent the Applicant.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply, as provided, to each Project for which the Applicant seeks now, or may later seek FTA funding during Federal Fiscal Year 2016.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 et seq., and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute.

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature _____ Date: _____

Name: _____
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): _____

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under State, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on the Applicant.

I further affirm to the Applicant that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its **FTA Project or Projects**.

Signature _____ Date: _____

Name _____

Attorney for Applicant

Each Applicant for FTA funding and each FTA Grantee with an active Capital or Formula Project must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its signature in lieu of the Attorney's signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated.

EXHIBIT 8

RESOLUTION FORM

WHEREAS, the U S Department of Transportation provides grants to states through the Federal Transit Administration (FTA) for operating and capital assistance projects for non-urbanized public transportation systems under Section 5311 of the Federal Transit Act (FTA C9040.1G); and

WHEREAS, the Georgia Department of Transportation has been designated by the Governor of the State of Georgia to administer FTA Section 5311 (f) grants in Georgia; and

WHEREAS, the Applicant, desires to apply for said financial assistance to assist with project description; and

WHEREAS, the Applicant has coordinated with other transportation providers and users in the region; and

WHEREAS, the Applicant has the authority to apply for and accept grants and make purchases and/or expend funds pursuant to grant awards made by the Georgia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED BY the Applicant

1. Authorizes Applicant to submit a 2016 Federal Transit Administration Section 5311(f) application to the Georgia Department of Transportation;
2. (Authorized Individual by Name and Title) _____ is authorized to sign the application, accept the funding award, and expend FTA funds pursuant to an executed contract, unless specifically rescinded.

DULY PASSED AND ADOPTED THIS _____ , 20____

By: _____
(Signature, Authorized Official)

(Typed Name and Title)

ATTEST:

_____(seal)

EXHIBIT 9

APPLIES TO APPLICANTS REQUESTING CAPITAL ASSISTANCE FOR FACILITIES

Protection of the Environment

Most transit projects funded under Section 5311 [including 5311(f)] will be classified by FTA as categorical exclusions. Examples of categorical exclusions include operating assistance, purchase of transit vehicles, and purchase of office equipment.

If the proposed project is for construction or acquisition of facilities or other buildings, further evaluation may be required before a determination can be made that the project is a categorical exclusion. The Department should be contacted to determine if additional evaluation is needed. If it is needed, information such as an Environmental Assessment or Environmental Impact Statement (as determined by GDOT) should be included with an application for Section 5311(f) Assistance. This information may be separately bound and identified as Exhibit 9-A

Exhibit 10
CHECKLIST

SECTION 5311(F) GRANT APPLICATION

Applicant: _____

Prepared by: _____ **Phone:** _____

Please verify ALL items are completed / Attached

1. Grant Application **SF-424** ☐
2. Letter of Transmittal (**Exhibit 1**) ☐
3. Opinion of Counsel (**Exhibit 2**) ☐
4. Special Section 5333(b) Warranty for Application to the Small Urban and Rural Program (**Exhibit 3A**) ☐
5. Listing of Recipients, Eligible Surface Public Transportation Providers and Labor Representation (**Exhibit 3B**) ☐
6. Federal Transit Administration Civil Rights Assurance (**Exhibit 4**) ☐
7. Drug-Free Workplace Act Certification for a Public or Private Entity (**Exhibit 5**) ☐
8. Anti-Drug Program Certification (**Exhibit 6**) ☐
9. Federal FY16 Certifications and Assurances (**Exhibit 7A**) ☐
10. Affirmation of Attorney FTA Certs & Assurances **Exhibit 7B**) ☐
11. Authorizing Resolution (**Exhibit 8**) ☐
12. Protection of the Environment – Capital Projects (**Exhibit 9**) ☐
13. Completed Checklist (**Exhibit 10**) ☐